

REMARKS

Claims 44-52, 54-57, 59-62, and 65-69 are currently under examination. Claims 70-87 are currently withdrawn from consideration. Claims 44-47, 49, 52, 60, 65, and 69 stand rejected. Claims 48, 50-51, 54-57, 59, 61-62, and 66-68 are objected to.

Claim 69 has been cancelled in the present paper.

The status identifiers for Claims 56 and 57 have been changed from "currently amended" to "previously presented."

Applicants thank the Examiner for entering the claim amendments presented in the Amendment of November 1, 2004, and for withdrawing the previous bases of rejection stated in the office action of January 2, 2004, in light of the Amendment of November 1, 2004.

Claim rejections

Obviousness-type double patenting

Claims 44-47, 49, 52, 60, 65, and 69 stand rejected under the judicially created doctrine of obviousness-type double patenting over Claims 1-9 of U.S. Patent No. 6,340,460. Claim 69 has been cancelled, thereby rendering this rejection moot with respect to Claim 69. Applicants respectfully request that the obviousness-type double patenting rejection of Claims 44-47, 49, 52, 60, and 65 be held in abeyance until allowable subject matter has been indicated, at which time a terminal disclaimer will be filed. The filing of the terminal disclaimer is in order to further prosecution of the subject application and is not to be construed as acquiescing to the propriety of the rejection.

Rejection under 35 U.S.C. §112, first paragraph

Claim 69 stands rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement, on grounds that Claim 69 contains new matter. Claim 69 has been cancelled, thereby rendering this rejection moot.

Claim 69 stands rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement. Claim 69 has been cancelled, thereby rendering this rejection moot.

Rejection under 35 U.S.C. §112, second paragraph

Claim 69 stands rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite.
Claim 69 has been cancelled, thereby rendering this rejection moot.

CONCLUSION

Claims 44-52, 54-57, 59-62, and 65-69 are currently under examination. Claim 69 has been cancelled in the present paper.

Applicants submit that all outstanding claim rejections have been overcome and request that Claims 44-52, 54-57, 59-62, and 65-68 be found in condition for allowance.

Please charge any fees associated with the submission of this paper to Deposit Account Number 502212. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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